

APPENDIX ONE

RECORDS
—OF THE—
TOWN OF EAST-HAMPTON,
LONG ISLAND, SUFFOLK CO., N. Y.,
—WITH OTHER—
Ancient Documents of Historic Value.

VOLUME I.

This volume includes the Records from 1639 to 1679-80 transcribed under direction of Committee appointed to reproduce the Records, by Town Meeting, April 3, 1883; with an Introduction by Hon. H. P. Hedges, published at the expense of the Town and by its authority.

JONATHAN T. GARDINER,
JONATHAN BAKER,
JOSEPH S. OSBORNE,
Committee.

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SAG-HARBOR :

JOHN H. HUNT, Printer.

1887.

# RECORDS

—OF THE—

## Town of East-Hampton, L. I.

—:0:—

Book 2, page 165.—Know all men whom this pſent writing may concerne yt I James ffarrett of Long Island gent. Deputy to the Right honorabell the Earle of Starlinge Secretary for the kingdome of Scottland do by theſe prſence in the name & behalfe of the ſd Earle of Starlinge and in my owne name alſoe as his deputy as it doth or may concerne my ſelfe give & grant free leave & liberty to Lion Gardiner his heyeres executors & assignes to enioy that Island wch hee hath now in poſſeſſion called by the Indians Manchonacke by the English Ile of wight I ſay to enioy both now & for ever, wch Iland hath bene purchaſed before my cominge from the ancient Inhabitants the Indians, nevrtheles though the ſd Lion Gardiner had his poſſeſſion firſt from the Indians before my cominge yet is he now contented to hould the tenor and title of the poſſeſſion of the aforeſd Iland from the Earle of Starlinge or his ſucceſſors whomſoever whoe hath a grant from the kinge of England under the great Seale of the aforeſd kingdome: be it knowne therefore that I the ſd James ffarrett doe give & hath given free liberty and power to the ſd Lion Gardiner his heyers executors & assigne & their ſucceſſors for ever to enioy the poſſeſſion of the abovesd Iland to build & plant there on as beſt liketh them & to diſpoſe thereof as they

thinke fitt and alsoe to make execute or put in practice such Lawes for church & Civill Govment as are accordinge to gods the kings and the practice of the Country without giveing any account there of to any whomsoever and the aforesd right & title both of land & govment to remayne wth & to them & their sucesors for ever without any trouble or molestacon from the sd Earle or any his sucesors for now & ever, and for as much as it hath pleased our Royoll kinge to give the patten of Long Iland to the aforesd Earle of Starlinge in consideracon whereof it is agreed upon, that the trade wth the Indians shall remayne wth the sd Earle & his sucesors to dispose upon from tyme to tyme & at all tymes as best liketh him: notwithstanding the sd Lion Gardiner to trade wth the Indians for corne or any kind of victuals for the use of the plantacon and noe further and if the sd Lion Gardiner shall trade in wampun from the Indians he shall pay for every fathom twenty shillings as alsoe the sd lion gardiner and his sucesors shall pay to the sd Earle or his deputyes a yearly acknowledgement beinge the sume of five pounds beinge lawfully demanded of Lawfull money of England or such comodities as at that tyme shall passe for money in the Country and the first payment to begin the last of October 1643 the three former years beinge advanced for the use of the sd James ffarrett in witness where of the sd party have put his hand & seale the tenth day of March 1639.

JAMES FFARRETT.

Scaled & Delivred in the prsence of  
FFOOLKE DAVIS, BENJAMINE PRICE.

HEDGES BOOK, page 72.

APRILL the 29th, 164S.

This present writing testifieth an agreement between the worship'll Theophilus Eaton, Esquire, Governour of the Colo-

## RECORDS: TOWN OF EAST-HAMPTON.

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ny New Haven, And the worship'll Edward Hopkins, Esquire, governour of the Colony Connecticut, and their astoyats on the one parte, And Poggatacut, Sachem of Munhansett, Way-andanch, Sachem Meuntacut, Momowetow, Sachem of Cor-chake, Nowedonah, Sachem of Shinecoke, and their asotyts, the other Part. The said Sachems having sould unto the foresaid Mr. Eaton and Mr. Hopkins, with their asotyats, all the Land lyinge from the bounds of the Inhabitants of South-ampton, unto the East side of Napeak, next unto Meuntacut high Land, with the whole breadth from Sea to Sea, not Intrenching uppon any in length or breadth, which the Inhabitants of Southampton, have and do possess, as they by Lawfull right shall make appeare, for and in consideration of twentie Coates, twentie-four looking-glasses, twentie four hoes, twentie-four hatchets, twentie-four knives, One hundred muges, allready Received by us, the forenamed Sachems. for ourselves and asotyats; and in consideration thereof, we doe give upp unto the said Purchasers, all our right and Interest in the said Land, to them and their heirs forever.

Allsoe doe bind ourselves, to secure their right from any claims of any others, whether Indians, or other Nation whatsoever, that doe, or may hereafter, challenge Interest therein. Allsoe, we, the said Sachems, have Covenanted to have Libertie, freely to fish in any or all the cricks and ponds, and hunt up and downe in the woods without Molestation, they giving the English Inhabitants noe just offence, or Iniurie to their goods and Chattells. Likewise, they are to have the fynns and tails of allsuch whales as shall be cast upp, to their proper right and desire they may bee dealt with in the other part. Allsoe, they reserve libertie to fish in all convenient places, for Shells to make wampum. Allsoe, if the Indyans, hunting of any deare, they should chase them into the water, and the English should kill them, the English shall have the body, and the Sachem the skin.

And in Testimony of our well performance hereof, we have sett to our hands, the Day and year above written.

Witnesses to this,  
 RICHARD WOODHULL  
 THO STANTON,  
 ROBERT BOND,  
 JOB SAYRE.

The marke of POGGATACUT, Munhansett Sachem.  
 The marke of WAYANDANCH, Meantacutt Sachem.  
 The marke of MOMOWETA, Corchake Sachem.  
 The marke of NOWEDONAH, Shinecok Sachem.

*Chectanoo, his marke, theis Interpreter,*

The assignment to the Inhabitants of East Hampton is as follows:

Whereas, by direction from Theophilus Eaton, Esq., and me Edward Hopkins, a purchase was made by Thomas Stanton and others, of a part of the Esstern Part of Long Island, of the Indians Sachems, the true proprietors thereof, in the name of Theophilus Eaton, Esq., aforesaid, and myself, with our associates, as by the said agreement, dated the 29th of April, 1648, may more fully appear, which said purchase was paid by me, Edward Hopkins, and amounted to the Sum of Thirty pounds four shillings eightpence, as may appear by a Note of Particulars, under the hand of Thomas Stanton, to whom the said sum was paid, now delivered to Robert Bond, of East Hampton. This writinge witnesseth that I have received the foremeneioned sum of Thirty pounds four shillings eight pence, of the Inhabitants of East Hampton, and have delivered unto them the writings of the said purchase, and all the interest that thereby was purchased. In witness whereof, I have herevnto subscribed, the 16th of Aprill, 1651.

I say received,

£ S D  
 3S 4 8 per me  
 EDWARD HOPKINS.

A true copy per me,

THOMAS TALMAGE, Rec.

PAGE 18, Book A or page 1, Book B—Articles of agreement betwene Mr Daniell How of the one party and Thomas Backer

## RECORDS: TOWN OF EAST-HAMPTON.

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the other party : The said Daniell How hath sould and allyan-  
 ated vnto Thomas Backer all his accomodations at Easthamp-  
 ton with howsings orchards gardens ffenceings lands & mead-  
 ows withal what hee now posseseth & what is or may belonge  
 vnto him with relation to his lott as his right to his setlinge  
 there; ffor & in Consideracon of paying vnto the said Daniell  
 How the sum of twenty pound to him or his assignes the 29th  
 day of September next; at the which day of September next  
 the said Daniell How is to deliver the said purchase with all  
 the appurtenances vnto the said Thomas Backer; & to free  
 the said Thomas of all rates & charges from Church or Comon  
 wealth; or purchase from the Indians soe that the said Thom-  
 as is not to pay any charg about the lot whatsoever; due be-  
 fore the 29th Day of September next except what fenceing to  
 bee done from this day being the tenth of May 1650 in witness  
 hereof they have both sett their hands the day & yeare above.

DANIELL HOW  
 THOMAS BACKER

Witnes ALEXANDER BRYAN EPHRAIM HOW.

Received this 10th of May 1650 the sum of twentie pounds  
 & is in full payment of the lot which was myne at Easthamp-  
 ton & now sould to Thomas Backer of Mylford. I say reed by  
 me Daniell How in full payment of my lott withall the accom-  
 odacons & Convenyences belonging therevnto of my Cousin  
 Alexander Bryan the sum of twentie pound & the lott & ac-  
 comodacons to be delivered to and for the use of Thomas  
 Backer the 29th of September next ensueing.

DANIELL HOW.

Reed this 24th of August 1650 of Thomas Backer the sum



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## RECORDS: TOWN OF EAST-HAMPTON.

|                                                                                                         |   |    |   |
|---------------------------------------------------------------------------------------------------------|---|----|---|
| 2 accors of broke up land                                                                               | 1 | 0  | 0 |
| 4 accors and ahalfe unbroke }<br>at the Indian well }                                                   | 2 | 5  | 0 |
| 3 accors in the woods in }<br>the mil plaines }                                                         | 0 | 12 | 0 |
| Book 2, page 80.—Torn short leaf.—<br>for stubing at home and fencing }<br>half an accor at both ends } | — | 8  | 0 |
| 2 accors and orhalfe at home }<br>4 acc ad }                                                            | 3 | 10 | 0 |
| meadow                                                                                                  | 8 | 0  | 0 |
| 6 accors by hooke po                                                                                    | 3 | 0  | 0 |
| 6 accors at Indi well                                                                                   | 3 | 0  | 0 |
| 10 accors at the mill                                                                                   | 2 | 0  | 0 |

In Case of a new Division of land Robert per is to have tow accors and John Cirtland one and For the whale it is to be Devided in the midel and for Eatch man to serve as the towne Order require for John Certlands meadow it shal ly in the great meadow at the hommock if ther be not a then of the meadow he shal have it mayd up.

EASTHAMPTON April 13th 1660.

Book 2, page 84.—It is ordered that Master Baker Thomas Talmage and Beniamine Price shall have power to sell any timber or trees to any floriner for the use of the towne and that noe other man shall have liberty to sell any tree or trees eyther broken or whole vpon penalty of Payinge twice the price of the tree till the the towne gives farther order.

JUNE the 4th 1660.

It is iointy agreed that if mr Stanborough or John Tappin doe not psecute accordinge to their bonds that then wee doe hereby impower our Attorney mr Tho: Baker to rest and



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psecute in our behalfe as hee shall see meete for the poundage of the sheepe.

Book 2, page 81.—This meetinge witnesseth an exchange of Land betwne Samuell. Parsons and John Hand iunior that is to say that the sd Samuell Parsons doth hereby deliver up all his propriety and his fathers in the 18 ackers of wood land in the last devision to the above named John Hand in leiwe of 16 ackers and an halfe of the sd John Hands land lieinge Eastward 8 by the Indian well  $6\frac{1}{2}$  in the woods and 2 ackers next to Richard Brookes on the plaine. witnesse our hands this 11th of June 1660

JOHN HAND  
SAMUELL PERSONS  
(Aut.)

JUNE 13 1660.

Book 2, page 84.—It is ordered yt noe oxen shalbe baited within the Corne fiels without the owner or some householder doe constantly attend them vpon penalty of 5s for evry defalt and pay all damages beside, and that the fence betwne Will: Hedges and goodman Osburne shalbe made fast up for this yeare.

JUNE 27th 1660.

Book B, page 139.—Henry Ludlow marked a colt of a gray mare of Elis Cookes that had both eares Cropt and a slit in the right eare before vs Jeremy Mechem John Osburne & Ben: Price Recorder.

JUNE 28th 1660.

Book 2, page 85.—It is agreed vpon and ordered that evry man shall take his turne to watch the beach at georgica till it

THE FIRST  
**Book of Records**  
OF THE  
**Town of Southampton**  
WITH OTHER  
ANCIENT DOCUMENTS  
OF HISTORIC VALUE,

Including all the writings in the Town Clerk's office from 1639 to 1660; transcribed with Notes and an Introduction by Wm. S. Pelletreau, and compiled by the undersigned Committee, chosen at Town Meeting, April 1st, 1873, and published at the expense of the Town, by its authority.

HENRY P. HEDGES,  
WM. S. PELLETREAU,  
EDWARD H. FOSTER.

JOHN H. HUNT, Book and Job Printer,  
Sag-Harbor, N. Y.

1874.

viz, the land within granted being a meere wilderness and the natives of the place pretending some Interest which the planters must purchase and they might have had land enough gratis (and as convenient) in the massachusetts or other of the Colonies with liberty to trade with the Indians (which they are debared from) and for that they had possessed and improved this place before any actual claim made thereto by the Right honbbl, the Earle of Starling, or had any neede of his lordships patent, and whereas his lordship (vpon consideration I suppose of the promises) required nothing of them but in way of acknowledgement of his interest, I doe here vpon conceive and doe accordingly, (so farr as power is given me) order and sitt downe that the Inhabitants of the tract of land within mentioned or the plantation now called Southampton, vpon Long Island, and their successors for ever shall pay yearely to the saide Earle of Starling his heirs or assignes vpon the last day of 7 ber, att Southampton aforesaid foure bushells of the best Indian Corne theire growing, or the value of so much in full satisfaction of all rents and services services (the 5th part of gold and silver ore to the kings majesty reserved always excepted.) In testimony whereof I have hereunto sett my hand, dated 20 (8) 1641.

JO. WINTHROP.

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### Indian Deed.

This indenture, made the 13th day of December, Anno Dom. 1640, betweene Pomatuck, Mandush, Mocomar, to, Pathemanto, Wybbenett, Wainmenowog, Heden, Watemexoted, Cheek-puehat, the native Inhabitants & true owners of the eastern pt. of the Long Island, on the one part, and Mr. John Gosmer, Edward Howell, Daniell How, Edward Needham, Thomas

## RECORDS : TOWN OF SOUTHAMPTON.

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Halsey, John Cooper, Thomas Sayre, Edward Harrington, Job Sayre, George Welbee, Allen Breade, Will'm Harker, Henry Walton. on the other part, witnesseth that the sayed Indians for due consideration of sixtene coats already received, and alsoe three score bushells of indian corne to bee payed vpon lawfull demand the last of September, which shall bee in the yeare 1641, & further in consideration that the above named English shall defend vs the sayed Indians from the uniuert violence of whatever Indians shall illegally assault vs, doe absolutely & for ever give & grant & by these presents doe acknowledge ourselves, to have giuen & granted to the parties above mentioned, without any fraude, guile, mentall reservation or equivocation to them & their heires & successors for ever, all the lands, woods, waters, water courses, easements, profits & emoluments thence arisinge what soener, from the place comonly knowne by the place where the Indians layle over their cummoes out of the North bay to the south side of the Island, from thence to possess all the lands lying eastward between the forsaid bounds by water, to wit, all the lands lying eastward between the foresaid bounds by water, to wit, all the land pertaining to the parties aforesaid, as alsoe all the old ground formerly planted lying eastward from the first creek at the westmore end of Shinecock plaine, To have & to hold forever without any claime or challenge of the least title, interest or propriety whatsoever of vs the sayd Indians or our heyres or successors or any others by our leave, appointment license counsel or authority whatsoever, all the land bounded as is above said. In full testimonie of this our absolute bargain, contract & grant indented & in full & complete satisfaction & establishment of this our act & deed of passing over all our title and interest in the premises, with all emoluments & profits thereto appertaining or any wise belonging from sea or land within our limitts above specified without all guile wee haue set to our hands the day and yeare above sayd.

Memorand. Before the subscribing of this present writing it is agreed that the Indians abone named shall haue libertie to

break v<sup>o</sup> ground for theire vse to the westward of the creek  
n<sup>o</sup>re mentioned on the west side of Shinecock plaine.

MANATACUT, X his mark,  
MANDUSH, X his mark,  
WYBENET, X his mark,  
HOWES, X his mark,  
SECOMMECOCK, X,  
MOCOMANTO, X,  
these in the name of the rest.

Witnesses of the deliverie  
& subscribinge this writing.

ABRAHAM PIERSON,  
EDWARD STEPHENSON,  
ROBERT TERRY  
JOSEPH HOWE,  
THOMAS WHITEHORN,  
JOSHUA GRIFFITHS,  
WILLIAM HOWE.

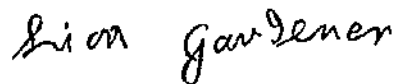
#### Confirmation of the Indian deed.

NOVEMBER THE 24th, 1686.

This day Appeared before me Llft. Collonll John Youngs Esq.,  
one of his Majesties Iustices of the peace, eleven of the Cheile  
of the Indians of Shinecock, namely : Pungamo, Sachem, who  
is son and heire to the withinsubscribed Mandush, and quaquashawg,  
John man, Cobil, asport, palamecowet, wahambahaw,  
wiack hance, Suretrust Saspan Ahickock, five whereof being  
old men, Did declare before me as followeth (viz) that the  
aforesaid Mandush Sachem and true proprietor with those In-  
dians with him subscribed to ye within written Deed, with ye  
full consent of the Rest of the Indians of Shinecock & did ac-

**Indians' Agreement with Lion Gardiner.**

Be it knowne unto all men by this present writing, that this Indenture covenant or Agreement was made the tenth of June in the yeare of our Lord 1658 between Wyandance Sachem of Pawmanack with his son Wiacombone and their Associates, that in Sasagatucko, Checanon. & manaueto, on ye other side Lion Gardiner for himself his heirs exeutors and assigns, that is to say that the foresaid Sachem Wiandance hath sould for a considerable sum of money and goods, a certaine tract of bench land with all ye rest of ye grass that joynes to it not seperated from it by water, which beach begins eastward at the west end of Southampton bounds, and westward where it is separated by ye waters of ye sea coming in out of the ocean sea, being bounded, Southwards with the great sea, Northwards with the inland water, this land and the grass thereof for a range or run for to feed horses or cattle on I say I have sold to the foresaid Lion Gardiner his heirs exeutor and assigns for ever for the sum aforesaid and a yearly rent of twenty five shillings a year which yearly rent is to be paid to the foresaid Sachem his heirs exeutors and assigns for ever, in the eighth month called October then to be demanded, but the whales that shall be cast vpon this beach shall helong to me, and the rest of the Indians in their bounds as they have beene anciently granted to them formerly by my forefathers, And also liberty to cut in the summer time flags bulrushes and such things as they make their mats of provided they doe noe hurt to the horses that is thereon. And that this writing is to be understood according to the letter, without any reservation or further Interpretations on it we have both of us Interchangeably set to our hands and seales



Autograph of Lion Gardiner.

Signed Sealed and The SACHEM H mark

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## RECORDS: TOWN OF SOUTHAMPTON.

delivered in the The mark of X his sons WIACOMBOXE  
 presence of us SASAGATACO S mark  
 David Gardiner CHECANOE A mark  
 Ieroniah Conkling MAMANETE S mark

I John Cooper do accept this writing and promise for myself  
 my heir executors and assigns to performe the payment which  
 is above specified, Witness my hand this 23 day of December  
 1658. In presence of ye underwritten witness

Thomas Osburne Ieroniah Conkling.

At a court of Sessions held at Sessions held at Southold in  
 the East Riding of Yorkshire upon Long Island the 7th day of  
 June, by his majesties Authority in the 17th year of ye reigne  
 of our Sovregne Lord Charles the second by the grace of God  
 of Great Brittain France and Ireland King defender of the faith  
 &c and in the yeare of our Lord God 1665.

Whereas Mr Ogden did sell a parcell of land to the Inhabi-  
 tants of the towne of Southampton which was given and grant-  
 ed to him by ye late Sachem Wyandane & his son, with a res-  
 ervation of twenty five shillings a yeare to him and his heirs  
 after the expiration of some years which Thomas Halsey hath  
 or had therein, this court doth order that the said some of  
 twenty five shillings so reserved to be paid yearly as aforesaid  
 (when Thomas Halseys time shall be expired) shall be payed  
 unto the said squaw daughter & heire to the said sachem, &  
 to her heires and assigns according to the Intrest of the grant  
 above mentioned by the persons in Possession of the said lands  
 who may claim their satisfaction for Mr Ogden who sold it to  
 them.

By me

RICHARD TERRY,

Clark of the sessions.



# R E C O R D S . .

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Town of Brookhaven,

UP TO

1 8 0 0 .

AS COMPILED BY THE TOWN CLERK.

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PATCHOGUE:  
PRINTED AT THE OFFICE OF THE "ADVANCE."  
1880.

## RECORDS: TOWN OF BROOKHAVEN.

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hereby ingage himself, for, and on the behalf of his Neighbours, to pay, or Cause to be paid, unto the foresaid Sachems, twenty Coats, twenty hoes, Twenty Hatchets, forty Needles, forty Muxes, ten pound of powder, ten pound of Lead, Six pair of Stockins, Six Shirts, one Trooper's Coat, made of Good Cloath; Twenty knives, one Gunn, for and in Consideration of the aforesaid goods, Wiandance, the Sachem of Mentauck, and Wenecoheage have Sold the Aforesaid Meadows, to be the aforesaid Mr. Richard Woodhull's and his Neighbours, and their Heirs forever, and do hereby promise and ingage themselves, to free and Defend the Said Meadows from all others, that may any ways make any Claim thereunto, and in Witness hereof, the aforesaid Sachems and Mr. Woodhull, have interchangably Set their hands this 20 July, 1657. This to be paid upon demand.

in presence of  
JOHN STICKLING,  
JONAH WOOD.

RICHARD WOODHULL,  
this mark X Mentauck Sachem,  
the mark woncco, X Sachem.

—o—

## WYANDANCE TO LION GARDENER.

*Deed of Beach.*

BE it knowne unto all men, by this present writing, that this Indenture, covenant, or Agreement, was made the tenth of Iune, in the yeare of our Lord, 1658, between Wyandance, Sachem of Pawmanack, with his son Wiacombone, and their Associates, that in Sasagataco, Checanon & mamaneto, on ye other side Lion Gardiner, for himself, his heirs, executors and assigns, that is to say, that the foresaid Sachem, Wiandance hath sould for a considerable sum of money and goods, a certaine tract of beach land, with all ye rest of ye grass that joynes to it, not seperated from it by water, which beach begins Eastward at the west end of Southampton bounds, and westward where it is separated by ye waters of ye sea, coming in out of the Ocean Sea, being bounded Southwards with the great sea, Northwards with the inland water; this land and the grass thereof for a range, or run, for to feed horses or cattle on, I say, I have sold to the aforesaid

Lion Gardiner, his heirs, executor and assigns forever, for the sum aforesaid, and a yearly rent of twenty-five shillings a year, which yearly rent is to be paid to the foresaid Sachem, his heirs, executors and assigns for ever, in the eight month, called October, then to be demanded, but the whales that shall be east upon this beach shall belong to me, and the rest of the Indians in their bounds, as they have beene anciently granted to them formerly by my forefathers.

And also liberty to cut, in the summer time, flags, bullrushes, and such things as they make their mats of, provided they doe noe hurt to the horses that is thereon. And that this writing is to be understood according to the letter, without any reservation or further Interpretations on it, we have both of us, Interchangeably set to our hands and scales.

|                                                          |   |                                                                                                  |
|----------------------------------------------------------|---|--------------------------------------------------------------------------------------------------|
| Signed, Sealed and<br>delivered in the presence<br>of us | } | The mark of X his sons Wiacombone,<br>Sasagataco X mark,<br>Checanoe X mark,<br>Mamanete X mark. |
| DAVID GARDINER,<br>JEREMIAH CONKLING,                    |   |                                                                                                  |

LION GARDENER

The Sachem X mark,

I, John Cooper, do accept this writing and promise for myself, my heir, executors and assigns, to performe the payment which is above specified. Witness my hand, this 23 day of December, 1658. In presence of ye underwritten witness.

THOMAS OSBURNE,  
JEREMIAH CONKLING.

—o—

#### *PUNCTUALITY AT TOWN AND TRUSTEE MEETINGS.*

At a town meting, held the first decem, 1659, It was ordered that whoever be Defective in apearence to the Towne meetings, upon lawfull warning, thay shall forfeit 2 shillings 6 pence, for the Town's use, unles they can give a Reason, that may Satisfy the maior pt. of the towne. In 1701, The Trustees ordered that a member being one hour late, should be fined 3s,

Wyandance To Lion Gardener

Deed of Beach

Be it knowne unto all men, by this present writing, that this Indenture, covenant, or Agreement, was made the tenth of Iune, in the yeare of our Lord, 1658, between Wyandance, Sachem of Pawmanack, with his son Wiacombone, and their Associates, that in Sasagataco, Checanon & mamaneto, on ye other side Lion Gardiner, for himself, his heirs, executors and assigns, that is to say, that the foresaid Sachem, Wiandance, hath sould for a considerable sum of money and goods, a certaine tract of beach land, with all ye rest of ye grass that joynes to it, not seperated from it by water, which beach begins Eastward at the west end of Southampton bounds, and westward where it is separated by ye waters of ye sea, coming in out of the Ocean Sea, being bounded Southwards with the great sea, Northwards with the inland water; this land and the grass thereof for a range, or run, for to feed horses or cattle on, I say, I have sold to the aforesaid Lion Gardiner, his heirs, executor and assigns forever, for the sum aforesaid, and a yearly rent of twenty-five shillings a year, which yearly rent is to be paid to the foresaid Sachem, his heirs, executors and assigns for ever, in the eight month, called October, then to be demanded, but the whales that shall be cast upon this beach shall belong to me, and the rest of the Indians in their bounds, as they have beene anciently granted to them formerly by my forefathers.

AND also liberty to cut, in the summer time, flags, bulrushes, and such things as they make their mats of, provided they doe noe hurt to the horses that is thereon. And that this writing is to be understood according to the letter, without any reservation or further Interpretations on it, we have both of us, Interchangeably set to our hands and seales.

Signed, Sealed and  
delivered in the  
presence of us

DAVID GARDINER,  
IEREMIAH CONKLING,

LION GARDENER  
The Sachem X mark,  
The mark of X his sons WIACOMBONE,  
SASAGATACO X mark,  
CHECANOE X mark,  
MAMANETTE X mark.

I, Ione Cooper, do accept this writing and promise for myself, my heir, executors and assigns, to performe the payment which is above specified. Witness my hand, this 23 day of December, 1658. In presence of ye underwritten witness.

THOMAS OSBURNE,  
JEREMIAH CONKLING.

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The above deed is taken from "Records: Town of Brookhaven, Up To 1850," as compiled by the Town Clerk, as published in 1880, for the Town of Brookhaven, County of Suffolk, State of New York. "Errors" in spelling are copied exactly as contained in the printed deed. It is interesting to note vestiges of Middle English.

THE SECOND  
**Book of Records**  
OF THE  
**Town of Southampton**  
LONG ISLAND, N. Y.,  
WITH OTHER  
ANCIENT DOCUMENTS  
OF HISTORIC VALUE,

Including the Records from 1660 to 1717; transcribed with notes and an Introduction by Wm. S. Pelletreau, and compiled by the undersigned Committee, appointed at Town Meeting, April 4th, 1876, and published at the expense of the Town, by its authority.

HENRY P. HEDGES,  
WM. S. PELLETREAU,  
EDWARD H. FOSTER.

SAG-HARBOR:  
JOHN H. HUNT, Printer.

1877.

## RECORDS: TOWN OF SOUTHAMPTON.

162

## Wyandanch's Deed to John Ogden.

May 12 1639 Be it knowne unto all men that by this present writing that I Wyandance Sachem of Paumauwhegon Long Island have upon deliberate consideration, and with my sonne Weenyacomhonne, both of us together, given and granted unto Mr John Ogden and his heirs for ever, I say freely given a certain tract of land, beginning at the westward end of Southampton bounds, which land is bounded, eastward with Southampton bounds, and with a small piece of meadow which I gave to Mr John Gosmer, which he is to enjoy, Northward to the water of the bay and to the creek of Accaboneke, Westward to the place called Pelceannache, and Southerly to Potuncke, three miles landward in from the high water marke, and creeke of accaboneke, and soe to the west, But from this three miles breadth of land southward all the land and meadows towards the south sea the beach only excepted which is sold to John Cooper, I say all the lands and meadows I have sold for a considerable price unto Mr. John Ogden for himself his heirs executors and assigns for ever upon conditions as followeth, first that Thomas Halsey and his associates shall have the privilege of the place of meadow called ququanantuck, the term of years formerly granted to him or them, but the land lying betweene ququanantuck and three miles northward he shall or may possess and improve at present, but when the years of the aforesaid Thomas Halsey shall be expired, then shall the aforesaid Mr John Ogden or his assigns fully possess and improve all ququanantuck meadow with the rest aforesaid, and then shall pay or cause to be paid unto me Wyandance my heirs and assigns the summe of twenty five shillings a yeare as a yearly acknowledgement or rent for ever, And it is also agreed that we shall keepe our privilege of fishing, fowling, or gathering of berries or any other thing for our use, and for the full and firme confirmation hereof we have both parties set too our hands markes and seals interchangably The date and year above written

JOHN OGDEN [I.s.]

In the presence of us  
DAVID GARDINER



Autograph of Lion Gardiner.

w<sup>ch</sup> is the award of Mr Winthrop with Mr Harrets memorandum, and another deed of Mr Harrets with a copy of the first of them, and the Articles of agreement with the Indians in ye yeare 1649.

Governor Nicolls his determination concerning the Towne Mr Topping and John Cooper, a copy of it recorded, Capt. Toppings deed with his Assignement on ye back of it to the towne. The originall of the Indians deede assuring ye lands to the Towne w<sup>ch</sup> they bought of Capt Topping, a copy of it recorded. Mr Scotts deede to the Towne for ye meadows & land to Peaconnet, the deed for the hearbidg of the beach, with John Cooper's Assignement. The final conclusion with Southhold Comitties concerning the accabank meadows, ye order for paymt of ye Cuntrys rate in 67, ye copy of the letter intended to bee sent to ye Governor in 69, more ye great book of records with a parchment cover, more the old book of records, with a large bundle con' part of the blue book & many other writings, more 3 great roles of papers, and the two books of records of cattle & some time in ye hands of Mr Laughton. Memorand, with ye copy of ye said deed signed as recorded (record was an error) and is delivered in amongst ye papers, with a copy of ye Articles of Agreement with ye Indians recorded, wee say rec<sup>d</sup> ye above mentioned writings and books, &c by vs with our copartners, witnes our hands the day & yeare above written.

In presence of  
his  
JOHN ~~N~~ LESSUP  
mark  
JOHN LAUGHTON

JOSEPH RAYNOR  
IONAS BOWER  
his  
ISAAC ~~N~~ HALSEY  
mark  
THOMAS COOPER.

**D**

May 12 1659. Be it knowne unto all men that by this present writing that I wiandance Sachem of Pawmanache or Long



## RECORDS: TOWN OF SOUTHAMPTON.

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Island, have upon deliberate consideration, and with my sone weeacacombone both of us together given and granted unto Mr Iohn Ogden and his heires forever, I say freely given, a certaine peece of land beginning at the westward end of Southamptton boundes, which land is bounded Eastwards with Southamptton bounds, and with a small peece of meadow which I gave to Mr Iohn Gosmer which he is to injoy, Northwards to the water of the bay and to the ericke of accabaucke Westwards to the place called Pehecannacke, and Southerly to Potuncke three miles landwards in from the highwater marke and creeke of accabaucke, and so along to the west. But from this three miles bredth of land Southward all the land and meadow towards the South sea the beach only excepted which is sold to Iohn Cooper. I say all the land and meadow I have sold for a considerable price unto Mr Iohn Ogden for himselfe his heires executors and assigns for ever, upon condition as followeth, first that Thomas Halsey and his Associates shall have the priviledge of the peece of meadow called quancawnantuck the terme of yeares formerly granted to him or them but the land lying between quancawnantuck and three miles northward he shall or may possess and improve at present, but when the yeares of the aforesayed Thomas Halsey shall be expired then shall the afore said Mr Iohn Ogden or his assigns fully possess and improve all quancawnantucke meadow with the rest aforesayed and then shall pay or cause to be payed unto me wiandance my heires or assigns the summe of twenty five shillings a yeare as a yearly acknowledgement or rent for ever. It is also agreed that wee shall keepe our priviledges of fishing fowling hunting or gathering of berrys or any other thing for our use, and for the full and firme confirmation hereof we have both partyes set too our hands markes and scales interchangeably. the date and yeare above written.

Signed sealed and  
delivered in the  
presence of us

JOHN OGDEN. [L. S.]

DAVID GARDINER,

*David Gardiner*

June 8, 1659 Deed to Beach  
(State Defendants' Transcription)

Be it knowne unto all men by this present writing, That I Wyandanch Sachem of Paumanuck on Long Island, and with my Sonn, Wecayacombeoun, have sold unto Lyon Gardener, his heirs Executors and Assigns, I say I have sold all the Bodys and Bones of all the Whales that shall come upon the Land, or come a Shoare from the Western end of Southhampton Bounds, unto the place called Kitchaminchoke, yet reserving to ourselves and Indyons, all the Tails and fins for ourselves; The terme of Years from the date hereof, shall hold in force for this space of twenty and one years, and for the [gotten] continuance of Love and Peace, between us, I say it shall bee, that if any Whale shall bee cast up in the bounds aforementioned, whether it bee found by English or Indyons, it shall bee judged by them both whether it bee a whole Whale or a halfe or otherwise. Now for every whole whale that shall come up, the aforesaid Lyon Gardener or his Assigns, shall pay or cause to be paid unto mee Wyandanch, the Sum of five pounds Sterling, or any good pay which wee shall accept of, but if it bee a halfe whale, a third part, or otherwise, they shall pay according to Proportion and this pay shall be within two Monethes after they have cut out and carryed the Whale home to their Houses but in case there shall not five whales come up, within the terme abovesaid, then shall the aforesaid Lyon Gardener, or his Assigns, have the next five Whales, that shall come up after the Terme, paying to mee, my heirs Executors or Assigns, the Sum above mentioned, and for the true performance of the promises. Wee have hereunto Sett our hands and Seals.

Signed Sealed in the presence of us.

The Sachems (Marks)  
Weeayacombounes (Marks)

Benjamin Price  
Jeremy Concolin  
David Gardener

Be it knowne to all whom it may anyway concern, That I Lyon Gardener do give to John Cooper of Southhampton, all the right and priviledges of this Deed, too performme the Covenant, as I was to have done, with my hand in the presence of the underwritten witnesses.

Lyon Gardener

Robert Bond  
Thomas Osborn Junior

I have sold all the bodyman's bones  
 of the whole whaler that shall come upon the  
 coast of England, from the Western end of  
 South Hampton Shores, unto the place called  
 Kitchamichole, yet according to our selves  
 and Indymans, all the Tails and fins for  
 our selves, the tenns of Yeares running  
 hence, shall be sold in force for the space of  
 twenty and one years, and for the better con-  
 tinuance of Love and Good, betwixt us, I  
 say it shall be, that if any Whale shall be  
 cast up in the Countie aforesaid mentioned, whe-  
 ther it be found by English or Indymans, it shall  
 be judged by them both whether it be a whole  
 Whale, or a half, or a third, or a fourth, or  
 whole whale that shall come up, the afore-  
 said Lord, Gardner or his Assignes, shall pay  
 or cause to be paid unto me or my assignes, the  
 summe of five pounds Sterling, or my good pay  
 which we shall accept of, but if it be a half  
 or a third, or a fourth, they shall pay



I say, I have sold all the Bodies and Bones  
 of all the Whales that shall come upon the  
 Coast, or come aboard from the Western end of  
 South Hampton bounds, unto the place called  
 Hetchamirchale, yet reserving to our selves  
 and Indians, all the Tails and fins for  
 our selves, The term of Yeares for my said  
 bond, I have sold in force for the space of  
 twenty and one yeares, and for the better con-  
 firmance of Love and Peace betwix us, I  
 say it shall be, that if any Whale shall be  
 cast up in the bounds above mentioned, who-  
 soever it be found by English or Indians, it shall  
 be judged by them both whether it be a whole  
 Whale, or a halfe, or otherwise, Now for every  
 whole whale that shall come up, the afore-  
 said Lyon Gardiner or his Assignes, shall pay  
 or cause to be paid unto me or my assignes, the  
 Summe of five pounds Sterling, or any good pay  
 which we shall accept of, but if it be a halfe  
 whale, a third part, or otherwise, they shall pay  
 according to Proportion, and this pay shall be  
 within two Monthes after they have sett out

[illegible]

To Sachems & Mark:  
 Weayacomboues & Mark:

My dear Mr. Garrison,  
I am very sorry to  
hear of your illness.

And it becometh to all whom it may any way  
concerned, That I Lyon Gardner do give to  
John Cooper of South Hampton, all the right  
and priviledges of this Deed, hee performing  
the Covenant, as I was to have done, With  
my hand in the presence of the underwritten  
witnesses

Robert Bond.

Thomas V. born June.

Lyon Gardner



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HENRY P. HEDGES,  
WM. S. PELLETREAU,  
EDWARD H. FOSTER.

SAG-HARBOR:  
JOHN H. HUNT, Printer.

1877.

the said agreement to have half the said land vpon a just deuision for which hee is to pay me 25 pounds. And whereas hee the said Capt. Scott did lay claime to all the said tract of land (I purchased as aforesaid) by vertue of bargaine with the said Leift. Gardiner formerly, by meanes whereof hee the said Capt. Scott became debtor vnto him the said Lyon [PAGE 46.] Gardiner, I say I the forenamed Richard Smith doe hereby bind myself my heirs that neither the said Lyon Gardiner nor any in his right or name shall molest him ye said Capt. Scott or his heyres, in respect of the said bargaine or covenant betweene them concerning the said land. And I further binde myself my heirs, never to make any claime of Interest in the said proportion of land made over as afore said, by the said covenant witness my hand this 22 Nov. 1663.

RICHARD SMYTH.

Witness Henry Pierson Richard Howell John Youngs.

Received this 21 day of November 1688 of Mr Isaac Halsey the sum of one hundred twenty nine pounds, 13 shillings and seven pence half penny, for the assessment of the county of Suffolk. I say received for the towne of Southampton New York

MATH. PLOWMAN

This money aboue said was payed towards the Defraying of the charge of the souldiers keeping at Albany the last year.

[Notes at bottom] (Thomas Lupton Nathaniel Halsey, Obadiah Rogers have stray cattle in charge)

[PAGE 47.] July 28 1659 Be it known vnto all men by this present writing that I Wiandance Sachem of Pawmanack or Long Island, and with my sone Weeayacomboun, have sold vnto Lyon Gardiner, his heyres executors, or assigns, I say I have sold all the bodys and bones of all the whales that shall come vpon the land, or come ashore, from the place called Kitchaminfehoke, vnto the place called Enoughnamuck, only the fins and tayles, of all wee reserve for ourselves and Indians.



## RECORDS: TOWN OF SOUTHAMPTON.

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I say I have sold with the consent of Wannuggeashenn and Tawbaughauz Sachems of the places aforesaid, I have sold all the whales that shall come vp within the bounds aforesaid for the space of 21 yeares ensueing the date hereof. But if any whales shall bee cast up they shall bee judged by ye English and Indians whether it bee a whole whale or half or otherwise but for every whole whale that shall be cast vp the aforesd Lyon Gardiner or his assigns shall pay or cause to bee paid vnto mee Wyandance my heyres executors and assignes the sum of 5 pounds. But if it bee not a whole whale then they shall pay according to proportions and this pay shall bee paid within two years after they have cut out and carried home the whale to their houses. But in case there shall not fowre or five whales come vp within the terme above said then shall the affore said Lyon Gardiner or his Assigns have the next 5 whales that shall come vp after the tearme. And for the true performance of the premises wee have herevnto set our hands and seales

The Sachems mark, WEEAYACAMBOUNES mark  
BENJAMIN PRICE

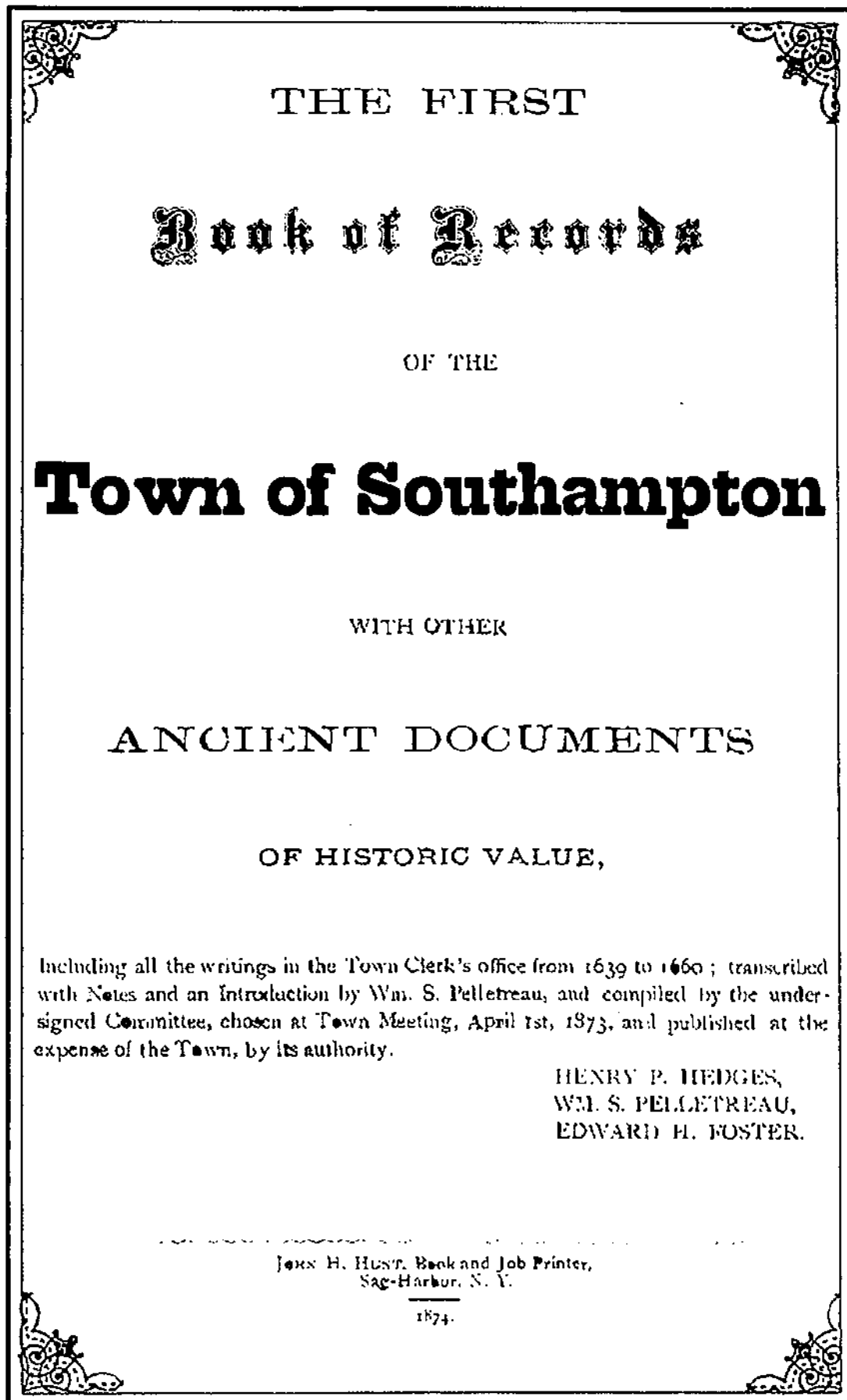
Signed sealed & delivered In presence of vs  
Jeremy Concolin      David Gardiner.

Whatsoever Wiandanch hath done or his successors may doe with and besides this act of selling whales wee own is and was his to make sayle of, and his heyres, and not ower nor our heyres.

TOWBACKCOWZ his mark  
WENAKCEASKAUM his mark.

Witness Richard Howell  
John Smith.

[PAGE 48.] This subscription of the two Sachems under the seales was their own act voluntary without any compulsion witness Zerobabel Phillips Ioseph Raynor Thomas Halsey This writeing with all the rite that is within the houle peaper



the tax of tire money (as it hath been commonly called) and the hon<sup>ble</sup> Governor of New York having appointed the Commissioners for the Indian affaires in ye East Riding, namely Capt John Howell and Mr Thomas Baker to take cause for satisfaction, I doe hereby appoint and constitute my friends ye said Capt John Howell and Henry Pierson my true and lawfull attorneys in my name & stead, but for my owne use to demand and receive the said 40£ or any part thereof from any person yt shall bee appointed to pay it upon the aforesaid accept, and vpon receipt thereof to give full discharge or to make my composition or agreement concerning the premises, And whatever my said attorneys doe or canso to be done lawfully in ye premises I do hereby ratify and confirme as if I had actually done the same, Witnes my hand this 7th of November 1667 allsoo I promise to defray ye charge my said attys are at in and about the premises.

Signed and delivered in presence of      JOHN OGDEN.  
ws John Richbell  
Jonas Honldsworth,

**Papers in Relation to the Topping Purchase,  
Western part of the Town.**

**INDIAN DEED TO CAPT. TOPPING,**

This writing made the tenth of Aprill 1662 between Weany Sunk squaw, Anabackus and Iackanapes all of them residents of Shinecock near Southampton on Long Island, on the one partie and Thomas Topping of Southampton on the aforesaid Island on the other partie, Witnesseth that we the said Weany Anabackus and Iackanapes have given and granted and by these presents do give and grant bargain sell assign and set over unto Thomas Topping aforesaid his heirs and assigns for ever all our right title and interest that we have or ought to have in a certain tract of land lying and being westward of the said Shinecock and the lawful bounds of Southampton above said, that is to say to begin at the canoe place otherwise Niam-

## RECORDS : TOWN OF SOUTHAMPTON.

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uck and soe to run westward te a place called and known by the name of Seatuck, and from thence to run northward across the said Island or neck of land unto a place called the head of the bay with all the meadow and pasture, arable land, easements profits benefits emoluments as is or may be contained within the limits and bounds before mentioned together with half the profits and benefit, of the beach on the south side the said Island in respect of fish whale or whales that shall by God's providence be cast up from time to time, and at all times, with all the herlage or feed that shall be, or grow thereon.

To Have and To Hold, all the forementioned demised premises with all and singular the appurtenances thereto belonging or in any ways appertaining to him the said Thomas, his heirs executors, administrators, or assigns forever, without the lett trouble denial or molestation of us the said Weany, Anabaekus, and Iackanapes our heirs or assigns or any o her person or persons lawfully claiming from, by, or under us our heirs executors Administrators or assigns, for and in consideration of the four score fathoms. of wampum, or other pay, equivalent to be paid unto the said Weany, Anabackus, and Iackanapes together with those other Indians interested whose names are under written, at or before the first day of December next ensuing the date hereof, by the said Thomas Topping or his assigns unto the true and faithful performance of all the premises we have hereunto interchangeably set our hands.

In presence of

James Herrick

John Topping

Elnathan Topping

THOMAS TOPPING,

WEANY X her marke

ANABACKUS X his marke

IACKANAPESS X his marke

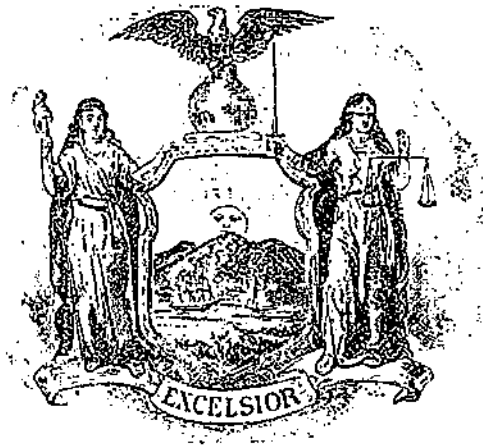
COBISH X his marke

TOPOBIN X his marke

WETAUGON X his marke

DOCUMENTS  
RELATING TO THE  
COLONIAL HISTORY  
OF THE  
STATE OF NEW YORK.

Vol. XIV—Old Series.  
Vol. III—New Series.



ALBANY, N. Y.:  
WEED, PARSONS AND COMPANY.  
1883.

DOCUMENTS  
RELATING TO THE  
HISTORY OF THE EARLY COLONIAL SETTLEMENTS

PRINCIPALLY ON  
LONG ISLAND,

WITH A MAP OF ITS WESTERN PART, MADE IN 1666, *in back pocket*  
*Map, cop. 2, in Map Case,*

Translated, Compiled and Edited from the Original Records in the Office of the  
Secretary of State and the State Library, under direction of the  
Honble JOSEPH B. CARR, Secretary of State,

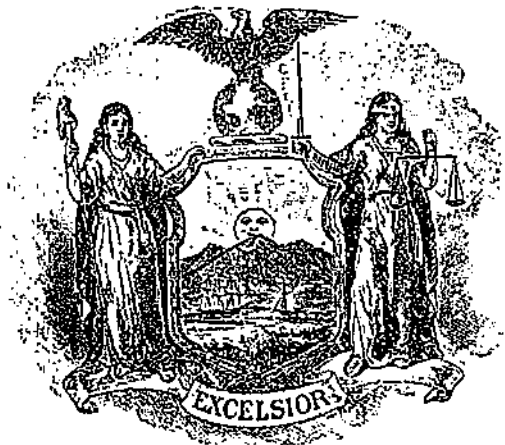
BY

1136150

B. FERNOW,

KEEPER OF THE HISTORICAL RECORDS.

HON. AND CORR. MEMBER OF THE PENNA, NEW YORK, VIRGINIA AND BUFFALO HISTORICAL SOCIETIES.



ALBANY, N. Y.  
WEED, PARSONS AND COMPANY.  
1883.

to sign another Letter of ye like nature w<sup>th</sup> y<sup>e</sup> former: The Governo<sup>r</sup> in Councell doth Order That he y<sup>e</sup> said *John Burroughs* bee forthwith comitted into the Custody of y<sup>e</sup> Sheriffe of this City, to remaine in prison until some time on Monday next, then to be brought to y<sup>e</sup> whipping Post before y<sup>e</sup> City Hall, and being fastened thereunto, to stand an hour, with a paper on his Breast, setting forth the cause thereof to be for signing sedicious Letters in y<sup>e</sup> name of y<sup>e</sup> Towne of *Newtowne*, against y<sup>e</sup> Governm<sup>t</sup> & Court of Assizes, and y<sup>t</sup> he be rendred incapable of bearing any Office or Trust in the Governm<sup>t</sup> for y<sup>e</sup> future. He was by mittimus committed to prison.

The Sheriffs Warr<sup>t</sup> to put y<sup>e</sup> sentence in execution. Vizt.

Whereas *John Burroughs* of *Newtowne* now in yo<sup>r</sup> Custody, was yesterday sentenet to be comitted to prison, as by this mittimus to you doth appeare, & to be brought to y<sup>e</sup> whipping Post, before y<sup>e</sup> City Hall, & there fastened, to stand an hour, with a paper on his breast setting forth y<sup>e</sup> cause thereof to be for writeing & signing sedicious Letters in y<sup>e</sup> name of y<sup>e</sup> Towne of *Newtowne* against y<sup>e</sup> Governm<sup>t</sup> and Court of Assizes: These are to require you to cause y<sup>e</sup> said sentence to be put in Execution on Monday morning next at eleven of y<sup>e</sup> clock, where y<sup>e</sup> Mayor & Aldermen of y<sup>e</sup> City are likewise desired to be present to see y<sup>e</sup> same duly effected. For y<sup>e</sup> which this shall be yo<sup>r</sup> sufficient Warrant; Given under my hand this 16<sup>th</sup> day of January 1674.

ANDROSS.

To M<sup>r</sup> Tho: Gibbs Sheriffe  
of y<sup>e</sup> City of *New York*.

January 22<sup>d</sup>, 1674-5.

The preserving of his R<sup>h</sup> Highnesse Interest in a proportion of y<sup>e</sup> Drift as in y<sup>e</sup> Law is set forth, the same being taken into Consideragon. It is resolved, That there be some particular man comissionated to take care of drift whales in y<sup>e</sup> middle & westernmost part of *Long Island*, who is to be accomptable for his Royall Highnesse dues thereof, according to Law.

That if an Indyan find and give notice of any such drift whales, he shall have such reasonable satisfacon as hath been usuall. If a christian shall find any such whale or great fish & secure it, or give due notice to y<sup>e</sup> person empowered, where by the said Fish may be saued, hee shall be allowed a quart<sup>r</sup> part for his share. Provided y<sup>t</sup> no such whale being found, shall be ent up or embezeled, before notice be given to such Offic<sup>r</sup> or p<sup>rs</sup>ons empowered to take care therein.

That an Order be sent to the Sachems on the Southside of *Long Island*, to be here in the Fort upon y<sup>e</sup> 9<sup>th</sup> day of febr. next, of which M<sup>r</sup> Nicolls the Sec<sup>r</sup> is to take care to send to them & give them timely notice.

---

A WARRANT FOR M<sup>r</sup> WILLIAM SHACKERLY TO LAY THE BOEUYES AT SANDY POINT.

By the Governo<sup>r</sup>.

You are hereby desired and required forthwith to take on board the *Hopewell* (yo<sup>r</sup> sonns small open sloop) the two bonys lying a float before the Towne Bridge, and to saile with them, to the coming into *Hudson River*, at *Sandy Point*; And without delay (winde and weather permitting) to lay the said Bonys, in the most proper places, without the said Point; one of them on the westernmost Spit or Part of the East Banke; The other on the shouldings under (or of this side of) *Renslaer Hoeck* or *Portlands Point*, as is adjudged best, in not lesse then three fathome and a halfe at low water. At yo<sup>r</sup> going you are to call on Capt. *Griffin*, and (if hee please) to take with you his Master, and *Randall* his pilot, as also M<sup>r</sup> Thom<sup>s</sup> Young, and to take their



*Early Colonial Settlements.*AN ORD<sup>r</sup> ABOUT WHALES.

Whereas I am given to understand, That there hath been great Abuse by y<sup>e</sup> neglect of y<sup>e</sup> Offic<sup>r</sup> of severall Townes upon *Long-Island* in not makeing Enquiry into or securing his Royal, Highness his part of Drift Whales or Great fish cast upon y<sup>e</sup> Beach or Shoare according to y<sup>e</sup> Directions in y<sup>e</sup> Law, the w<sup>ch</sup> other persons p<sup>r</sup>sume to Engross without rendring any acc<sup>t</sup>; ffor y<sup>e</sup> p<sup>r</sup>vention thereof for the future, and better securing y<sup>e</sup> Dukes Interest therein, I have thought fitt to constitute and appoint, & by these Presents have hereby Constituted and appointed Mr. *Wm. Osborne*, & Mr. *Jno. Smyth* of *Hempstead* to make strict Enquiry either by Indjans or others, of all such Drift Whales or great fish as shall bee cast up on the Beach or shore between y<sup>e</sup> Bounds of y<sup>e</sup> Towne of *Seatacote* Eastward, & y<sup>e</sup> utmost part of the Lymitts of *Gravesend* or *Coney-Island* Westward; and if any such Whale or Great fish shall bee at any time found that they give an acco<sup>t</sup> of and secure his Roy<sup>ll</sup> Highness his Interest and part of them as in y<sup>e</sup> Law is sett forth; And y<sup>e</sup> said *Wm. Osborne* & *John Smyth* shall bee solely employed herein for and dureing y<sup>e</sup> space & terme of      yeares: They behaveing themselves therein according to y<sup>e</sup> trust reposed in them, and for what they shall lawfully Act or Doe in the Premises, This shall bee to them a sufficient Warrant. Given under my Hand at *Fort James* in *New Yorke* this 2<sup>d</sup> day of May in y<sup>e</sup> 24<sup>th</sup> yeare of his Ma<sup>ties</sup> Reigne, Annoque Dni 1672.

---

LIBERTY GIVEN TO M<sup>r</sup> CORNHILL & M<sup>r</sup> DOUGHTY TO SELL LIQUOR & POWDER TO Y<sup>e</sup> INDIANS WHO ARE HELPFULL IN Y<sup>e</sup> WHALE FISHING DESIGNE.

Whereas Mr. *Richd Cornhill* one of y<sup>e</sup> Justices of Peace, & Mr. *Elyas Doughty* being engaged w<sup>th</sup> others in y<sup>e</sup> Whale fishing Designe, upon y<sup>e</sup> South-parts of *Long Island*, in the w<sup>ch</sup> they are of opinion the Indjans on those parts may bee very instrumentall unto them, if they might bee permitted to furnish them with some moderate proporgon of Strong Liquors, Powder, and Lead as they shall have occasion of, y<sup>e</sup> w<sup>ch</sup> many persons p<sup>r</sup>sume to sell unto y<sup>e</sup> said Indjans w<sup>th</sup>out Lycence, but the said Mr. *Cornhill* & Mr. *Doughty* Declare themselves to bee unwilling to break y<sup>e</sup> Law therein. At their request, I have thought fitt that for the space of one Whole yeare dureing y<sup>e</sup> Whale-fishing Season, or in relagon thereunto y<sup>e</sup> said Mr. *Cornhill* & Mr. *Doughty* shall have Lycence to sell or truck w<sup>th</sup> the Indjans of those parts such a moderate proporgon of Strong Liquors, Powder, or Shott as shall noe way occasion disturbance or abuse amongst y<sup>e</sup> said Indjans or Christians, & shall bee usefull for their Whaleing Designe. For y<sup>e</sup> doing whereof This shall bee their Warrant. Given under my Hand & seale at *Fort James* in *New Yorke* this 4<sup>th</sup> day of May in y<sup>e</sup> 24<sup>th</sup> yeare of his Ma<sup>ties</sup> Reigne, Annoque Dni 1672.

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LRE FROM Y<sup>e</sup> GOVERNO<sup>r</sup> & COUNOILL OF Y<sup>e</sup> MASSACHUSETTS TO HIS HONO<sup>r</sup> COLL: FFRANCIS LOVELACE.  
S<sup>r</sup>.

Wee salute you kindly. Our Allegiance to our Gracious Sovereigne, yours & our Safety, together with our just right to that part of y<sup>e</sup> Countrey, to y<sup>e</sup> Northward of his Highness the Duke *Yorkes* Territoryes beyound *New Yorke*, requires that wee endeavour Settlem<sup>t</sup> on that side of the Colony nigh *Hudsons* River, least through our neglect thereof, the *ffrench* settling in our Liber-

*New York Historical Records.*

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tyes draw upon us his Ma<sup>ties</sup> Displeasure, to our Loss & extreme p<sup>r</sup>judice, w<sup>ch</sup> wee are carefull to avoid. S<sup>r</sup> wee feare your not likeing well of our Endeavo<sup>r</sup> herein ; Wee doe therefore request that ffavour that you will bee pleased for our Accomodagon in that behalfe to permitt that some person or persons whom yo<sup>r</sup> selfe may thinke fitt for Mr. *J<sup>n</sup>o Payne* to make choice of, for their Travails & Knowledge of that part of y<sup>e</sup> Countrey & Wilderness, w<sup>thin</sup> our Libertyes, may for his reasonable satisfaction make Discovery to him of such Place w<sup>thin</sup> our Rights as may bee most encouraging for settlem<sup>t</sup> ; And that you will likewise bee pleased to signify to us yo<sup>r</sup> kinde admittance, that wee as yo<sup>r</sup> Neighbor<sup>s</sup> & Subjects of one Gracious Sovereigne may have free Egress, & Regress upon *Hudsons* River for Transportagon of People and Goods ; w<sup>ch</sup> will much ease our Charges therein, & yo<sup>r</sup> kinde Returnes by our Messenger whom wee have trusted & employed in this Affayre shall engage all amicable and like assistance wherein wee may serve his R: Highness & yo<sup>r</sup>selfe & remaine

S<sup>r</sup> yo<sup>r</sup> Hono<sup>r</sup> humble Serv<sup>ts</sup>

Edw: RAWSON Secr.

In y<sup>e</sup> Name & by Ord<sup>r</sup> of y<sup>e</sup> Governo<sup>r</sup> & Councell.*Boston in N: England y<sup>e</sup> 12<sup>th</sup> Mar: 1672.*

COUNCIL MINUTES AND ORDERS RELATING TO WHALEFISHING ON LONG ISLAND; BUSHWICK AND  
NEWTOWN BOUNDS.

Whereas I am given to understand that a Whale hath not long since been cast upon a parcell of Beach claymed to bee w<sup>thin</sup> *Jno Coopers* Bounds or Precinets, of the w<sup>ch</sup> severall Indiyans have taken & carried away the Whale-Bone; These are to authorize the said *Jno Cooper* to make Enquiry into and to make seizure of such Whale-Bone (if it bee found) of the w<sup>ch</sup> hee is to give an acco<sup>t</sup> to y<sup>e</sup> next Justice of the Peace, & likewise unto my selfe, And for soe doing this shall be his Warrant. Given &c: at *Seatacote*, als *Brook Haven* y<sup>e</sup> 10<sup>th</sup> day of May 1672.

At a Councell held at *Fort James* in *New Yorke* y<sup>e</sup> 17<sup>th</sup> of May 1672.

Whereas it was rep<sup>s</sup>ented unto his Hono<sup>r</sup> y<sup>e</sup> Governor that a certaine difference had arisen between *Jno ffinch* of *Huntington* & severall persons of *Oyster-Bay* concerned in the Whale-fishing Design, touching three Drift Whales cast upon the Beach & cutt up and tryed by those of *Oyster Bay*, wherein his Royall Highness was concerned as to his particular Dues out of the Oyle of the said Whales; All w<sup>ch</sup> was referred by ye Governo<sup>r</sup> to *Thomas Delavall* Esq<sup>r</sup> one of y<sup>e</sup> Councell to Examine & Endeavour a faire composure between ye Partyes, securing the Dukes Interest; Hee having an Ord<sup>r</sup> in the meane time to receive the Oyle, & bee accountable for ye same when the controversy should bee decided, to whom of Right it did belong; and the said *Thomas Delavall* having Declared that to prevent further contest, hee had made a faire agreem<sup>t</sup> between them or most of them concerned; That is to say, That *Jno ffinch* should have for his Share or Proporgon ffifteen Barrells of Oyle upon Acco<sup>t</sup> of his Interest in y<sup>e</sup> Beach where the Whales were cast up, out of w<sup>ch</sup> hee is to pay his Royall Highness his Dues, & two Barrells more to beare the Necessary charges had hereupon; And that y<sup>e</sup> Remainder should be unto them of *Oyster Bay* that cutt up & tryed the Oyle of the said whales for their charge and paines therein, together with y<sup>e</sup> cost of the Barrells, & Transportation; Vpon consideragon had hereof, the

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## ORDERS RELATING TO WHALING ON L. I.

Whereas comp<sup>l</sup> hath been made unto mee by some of y<sup>e</sup> Inhabitants of *Brook-haven* als *Seatalcott* on behalfe of y<sup>e</sup> Company in their Townes engaged in ye Whaling Designe, That y<sup>e</sup> Indiyans on the south-side of y<sup>e</sup> Island within y<sup>e</sup> Lymitts of their Patent, doe disturbe and discourage them in that Vndertaking, demanding a Barrell of Oyle out of every Whale w<sup>ch</sup> they shall take, although w<sup>th</sup> great hazard & hardship, requiring likewise payment for every stick of wood w<sup>ch</sup> they shall cutt thereabout for their needfull use of dressing their Dyet or the like; These are to require all such Indiyans whither Sachems or others, That they surcease all such unlawfull actions, and that they noe way give molestation or hindrance unto any of the Persons or Company employed in the Designe afore mentioned, who upon their Request I have granted Liberty unto freely to make use of the Beach or Shore for their ffishing Designe from a certaine place called *Bluff Pointe* westward for the space of three miles, & likewise that they may cutt in y<sup>e</sup> common woods adjacent what wood they shall have occasion of for y<sup>e</sup> convenience of dressing their provisions, or other accommodation; In w<sup>ch</sup> if the said Indiyans shall give the said Company of Whalers any further Disturbance, the Justices of peace, Magistrates, Constables or other Offic<sup>rs</sup> are hereby empowered to give Redresse unto y<sup>e</sup> said Company of the Whalers herein, ffor y<sup>e</sup> doing whereof this shall be unto them a sufficient Warrant & Discharge. Given &c: this 19<sup>th</sup> day of Aprill 1673.

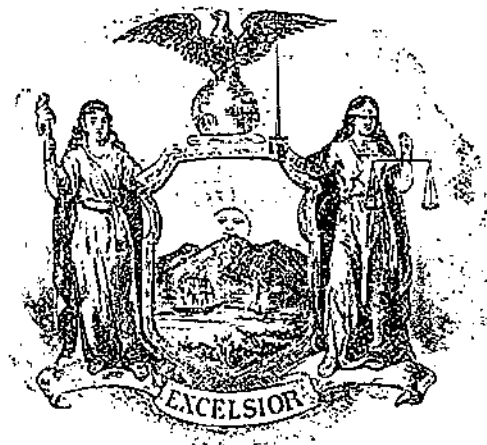
Whereas I gave a Commission y<sup>e</sup> last yeare unto *Wm. Osborne* and *John Smith* of *Hempstead* for a certaine time to have the charge and care of looking after & securing all Drift Whales that Should happen to bee cast on the south parts of *Long Island* within the space in the said commission limited, It being ffor the p<sup>r</sup>vention of abuses that had often been practiced, diverse persons finding such Drift Whales having cutt them up and kept all the proffitt to themselves, deceiving his Royall Highness of his dues, and at other times it being noe particular persons charge, such Drifts were neglected, soe both the Duke & Country had a Losse thereby; And being since given to understand that other Persons take upon them y<sup>e</sup> said charge of looking after Drift Whales, giving no acco<sup>t</sup> of the same, nor taking notice of my Commission; These are to require all persons whom this may concerne, that they bee ayding and assisting unto y<sup>e</sup> said *Wm. Osborne & Jno Smith* in prosecuting their commission; And if any person by accident doe heare of or finde such Whales within ye Lymitts in their commission specifiyd, that they give notice to y<sup>e</sup> said persons thereof, who are obliged to take care about it, soe that the Duke bee not deceived of his Dues: w<sup>ch</sup> if every person take it upon them may too frequently bee done; And for what y<sup>e</sup> said *Wm. Osborne & John Smith* shall lawfully Act & Doe in prosecution of their Commission for the time & Terme afores<sup>d</sup> this shall bee to them a sufficient Warrant. Given under my hand &c: Aprill y<sup>e</sup> 24<sup>th</sup> 1673.

To all Justices of y<sup>e</sup> Peace,  
Constables & other Offic<sup>rs</sup> to whom Applicagon shall  
bee made upon this Acc<sup>t</sup>.

FRANC: LOVELACE.

DOCUMENTS  
RELATING TO THE  
COLONIAL HISTORY  
OF THE  
STATE OF NEW YORK.

Vol. XIV—Old Series.  
Vol. III—New Series.



ALBANY, N. Y.:  
WEED, PARSONS AND COMPANY.  
1883.

DOCUMENTS  
RELATING TO THE  
HISTORY OF THE EARLY COLONIAL SETTLEMENTS

PRINCIPALLY ON  
LONG ISLAND,

WITH A MAP OF ITS WESTERN PART, MADE IN 1666, in back pocket  
Map, cop. 2, in Map Case,

Translated, Compiled and Edited from the Original Records in the Office of the  
Secretary of State and the State Library, under direction of the  
Honble JOSEPH B. CARR, Secretary of State,

BY

1136150

B. FERNOW,

KEEPER OF THE HISTORICAL RECORDS.

HON. AND CORR. MEMBER OF THE PENNA, NEW YORK, VIRGINIA AND BUFFALO HISTORICAL SOCIETIES.



ALBANY, N. Y.  
WEED, PARSONS AND COMPANY.

1883.



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*Early Colonial Settlements.*

p<sup>r</sup>esent consideragons, to Agree and Order such a Suitab<sup>l</sup>e Supply for yo<sup>r</sup> Towne, as may bee proper for so an extraordinary occasion, and that it bee in the nature of a Rate, designing it to bee receiv'd in the same manner, and accompted for to the Countrey, at the Gen<sup>l</sup> Court of Assizes; I am

Yo<sup>r</sup> affectionate friend,

May 8<sup>th</sup>, 1676.

E. ANDROS.

This is by Capt. *William Dyre*, who is Order'd to receive and bring yo<sup>r</sup> Result.

M. N. Seer.

May 17<sup>th</sup> 1676.

Ordered, That y<sup>e</sup> Towne of *Hempstead* do bring in each of them a particular Survey of their Lands at the next Court of Sessions, and deliver them to y<sup>e</sup> Secretary if there, or to y<sup>e</sup> Clarke of the Court to bee brought to the Office at *New Yorke* in order to their having patents for y<sup>e</sup> same according to Law.

The *Matinicoke* Indjans being sent for, The Govern<sup>r</sup> proposes the buying of their Land, and particularly of three parcells of Land of a mile square each, about *Muskitoe Cove*, of which the Inhabitants have already the herbage and trees.

They aske an Extravagant Rate. Att length come to an Agreement for six hundred Guilders Seawant

May 23, 1676

At a meeting of the *Unchechaug* Indjans of *Long Island* before the Go at the Fort.

They give thanks for their peace & that they may live, eate & sleepe quiet, without feare on the Island. They give some white strung seawant.

They desire they being free borne on the s<sup>d</sup> Island that they may have leave to have a whale boat with all other materials to fish & dispose of what they shall take in & to whom they like best.

They complaine that fish being driven upon their beach &c the English have come & taken them away from them by force. The Go: demands, if they made complainte to the Magistrates in the Townes who are appointed to redresse any Injuries.

They say no but another time will doe it.

They desire liberty to have boats & ask materialls of their owne to goe a whaling and that they may dispose of their oyle & as they thinke goode.

The Gov will consider of it & give them Answer to-morrow.

May 24—1676.

The Indjans come againe to the Governor in presence of The Councell.

What they desire is granted them as to their free liberty of fishing, if they be not engaged to others; They say they are not engaged.

They are to have an order to shew further priviledge

At a Councell held in *N. Y.* the 24<sup>th</sup> day off May 1676 Upon the Request of the Indjans of *Unchechaug* upon *Long Island* that they may have liberty to whale & fish upon their owne Aect

Resolved & ordered That they are at liberty & may freely whale or fish for or with Christians or by themselves & dispose of their effects as they thinke good according to law & Custom of y<sup>e</sup> Govern<sup>t</sup> of which all Magistrates offie<sup>r</sup>s or others whom this may concerne are to take notice & sufer the s<sup>d</sup> Indjans so to doe without any manner of lett hindrance or Molestation they comporting themselves civilly & as they ought.

By y<sup>e</sup> Ord of y<sup>e</sup> Go in Councell.



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New York  
May [blank] 1676.  
By Mr. Mayor.\*  
I pray give my best respects  
to your honorable Governor.

Your very affectionate  
humble servant.  
M.N.

[ENDORSED:] Copie of a Letter to Mr. Rawson Secr. at Boston.  
By Mr. Mayor May 1676.

[25:118]

[MINUTES OF A MEETING WITH UNCHECHAUG INDIANS  
CONCERNING FISHING RIGHTS]

May 23. 1676.

At a meeting of the Unchechaug Indyans of Long Island—before the Go:  
at the Fort.

They give thanks for their peace, and that they may live, eate and sleepe  
quiet, without feare on the Island, They give some white strung seawant.

They desire they being free borne on the said Island, that they may have  
leave to have a whale boate with all other materiells to fish and dispose  
of what they shall take, as and to whom they like best.

They complaine that fish being driven upon their beach etc. the English  
have come and taken them away from them per force.

The Go: Demands if they made complainte of it to the Magistrates in the  
Townes, who are appointed to redresse any Injuries.

They say no, but another time will doe it.

The Go: will consider of it and give them Answer tomorrow.

May 24. 1676.

The Indyans come againe to the Governor in presence of The Councell.

What they desire is granted them as to their free liberty of fishing, if they

\* William Darvall

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bee not engaged to others; They say they are not engaged.  
They are to have an Order to shew for their priviledge.

[ENDORSED:] May 23.24 1676.  
Unchechaug Indyans.

[25:119a]

[ORDER GRANTING THE ABOVE FISHING RIGHTS]

At a Councell held in N.Y. the 24th day off May 1676.

Upon the request of the Ind[ ]s of Unchechaug upon Long Island

Resolved and ordered that they are at liberty and may freely whale or fish for or with Christians or by themselves and dispose of their effects as they thinke good according to law and Custome of the Government of which all Magistrates officers or others whom these may concerne are to take notice and suffer the said Indyans so to doe without any manner of lett hindrance or molestacion they comporting themselves civilly and as they ought.

By Order of the Go: in Councell

[ENDORSED:] Order of Councell may 24. 1676.  
Unchechaug Indians.

[25:119b]

[LIST OF OWNERS OF VACANT LOTS IN NEW YORK]

Mr. Steenwyck  
Mr. V: Brugge  
Mr. de Peyster  
Mr. Hoogland  
Mr. Ebbing  
Mr. Rombout  
Mr. Ver Plancke  
Mr. Gerrit V: Tright  
Mr. Winder etc.

The vacant Ground etc.  
Mr. Allard Anthony  
X Mr. Sam: Edsall  
Mr. Guylayne Verplanck  
X Adolph Peterse.  
X Seuart Olferts.  
X Mr. Thomas Lewis  
X Peter Stoutenberg  
Jan Vigné  
Mr. Ebbing  
Mr. Rombout  
Cor: V: Borsum  
Mr. Hoogelandt  
6 or 7